

53.

Co read a lot of people their rights, but --

C Well --

P Mr. Compton I--

Co I've got a little problem ---

P Well, essentially you're _____ because it was my feeling that there could have been situations where agents may have been directed to run dope across or bring it across, and I want them -- whoever we interviewed to be aware that -- if -- if they did it knowingly and intentionally, I wouldn't hesitate to pursue those too. In other words, I'm not granting -- I don't have the authority to grant anybody any immunity --

Co Right --

P And I want to be completely fair. You know you have a right to talk to your lawyer. You know if you cant afford one, you can petition the court to appoint one for you. If you decide to answer questions now without a lawyer, you still have the right to stop answering any time or at any time, you can ask to talk to a lawyer. Now, do you understand those, Mr. Compton?

Co Yes, I do.

P And do you still wish to talk to Mr. Clark and myself?

Co Yes I do.

P All right. Now, basically as I understand it, Mr. Compton, we've -- I've tried to break these allegations down into two categories. One of basic illegalities. Violation of law. In your opinion, or in the opinion of any other individuals who've been interrogated by us. And then there's going to be opinion as to mis-management or -- or lack of judgment, things like that. First and foremost, I'd like to hit on the things that -- illegalities, criminal violations, if any. I'd like for you to be as specific as you can. Try to give me -- delineate whether you have direct knowledge or only hearsay and if it's ~~hearsay~~ hearsay, who ~~would~~ we could contact to follow up on the allegation. And there may very well be a situation where you'll want to not disclose your source. And if you -- that's the situation, I'd want you to indicate that. As to illegalities of DEA or BNDD or whoever, what allegations, if any, do you have in that first category?

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Co All right. How far back ~~to~~ do you wanta ~~to~~ go?

P Far back as you want to go.

Co Well, I think, I'll go back -- my part -- and -- ah

P Can you talk just a little bit ~~louder~~ louder, Jack---

Co ~~Go back for my part to 1967 in New Orleans~~. We had a situation where we caught a man with a load of narcotics. He was a local New Orleans violator named Marvin Sutton. He had just about a quarter kilo. That was all ^{wrapped up} capped up at least 2,000 gelatin capsules of heroin. He wouldn't tell us where he got it. But we fingerprinted the packages and -- and did raise fingerprints. We had nobody to compare them to. Later, in the same month, we caught the same man, the same way, again. This time he lacked 1 capsule having 2,000 -- 1,999 capsules of heroin. He'd been out on bond, so this time, he gave us the name of a man in Baltimore. The man was named Joe Lewis Miles. We were developing a conspiracy case against Miles at the time. And this was before the _____ B _____ and FBA created BNDD.

P That would have been, then, in summer of 1968. There was --

Co _____ April eighth -- 68, and it was before the actual merger but there was rumors of the merger which were denied by higher authorities, but they were still rumors. And also along about this time -- we were a small outfit at that time under 300 people -- 300 agents --

P And who were ~~you~~ you with then, FBA?

Co FBA, correct -- we (muttering) They -- there was a beefing up of the inspection apparatus of FBA which consisted at that time of two inspectors. One work west of the Mississippi and one worked east. Very simple arrangement. But they went into the CIA and pulled out some of their inspectors -- headhunter types. And one of them's name was Tom ~~Capute~~ Capute. Then went into IRS Inspection ~~and~~ and got a guy named Bob Gold -- in ^{Various} ~~so far as~~ other places, the old FBS ^{started} ~~of~~ beefing ^{their} ~~up~~ ~~of~~ inspectors. And at the same time they were leaning on me very hard to get an arrest warrant for Miles. Which, to me, indicated -- I knew by this time that Miles had been working in New York. From their accusations against Miles, I surmised that he is -- was of interest to these inspectors. But

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Co we weren't ready to pull the plug, so to speak. So, the U. S. Attorney, after talking to us at down there at that time -- name was -- his Assistant Jack C. Aluna and Louis LeCure was the U. S. Attorney. They agreed with us we shouldn't arrest and they declined prosecution at that time. Well, our people wouldn't accept that. We arrested him. And we arranged to arrest him in New Orleans. We got the defendant, loaned him quite a bit of money to _____ come down. ^{Anyway flim flam} ~~It was a~~ ~~xxxxxxx~~ deal but we got him into New Orleans and arrested. And on hand at the arrest was Andrew Tortaglino who's been before the Jackson Committee I think every day they've been in session just about, and my boss Frank Pappas. Well. We were talking to the man and he started making allegations about narcotic agents. That were actually peddling narcotics. And, so I debriefed this man. I took all the information that he had to offer about all these agents. And he agreed to make buys. He was said he was buying actually handling narcotics for these agents, so we set up buys. He moved to New Orleans and set down in an Apartment and I recorded his conversations with his permission, to these agents. And we started making buys. Well, there was a _____ in one thing. That was to embarrass B _____. We were making cases on B _____ agents. However, they were former narcotic agents but ~~xxxxxxx~~ had defected, and gone over--

P That was in HEW?

Co Yeah, they were in HEW. But the first guy we bought off of was a Deputy Director B _____ in Baltimore named Charlie _____. So he delivered narcotics in his car and everything and in the meantime the inspectors finally came down after a period of time and they took control of Miles. So my -- my active participation with Miles ended except I'd run into him every now and then on the street and he would just tell me what they were doing, about buying off all these agents. And they finally made some arrests and -- except for one man. Now, before we get -- get too far in -- one of the active ~~participants~~ participants -- one of the major violators was an agent named Frank Salvage. Frank Salvage was Charlie Saragusa's nephew. Charlie Saragusa was a former Deputy Commissioner of FBM who was then the head of the Illinois Crime Commission. All that was said

right of the blue, this super star resigned. No explanation. Just resigned. And he was never pursued any further. But he had been setting up hi-jackings of _____ in New York, they were actually god damned hippie _____, robberies, just plain out armed robbery. And further they were taking seizures of narcotics and they had ten pounds. They'd give the ten pounds to this Miles. He would cut it. He'd break off half of it and cut it back to make back what he was supposed to have and then turn in a weaker seizure. Then Miles would turn to distributing the rest of the narcotics. That wasn't coming fast enough so Salvarne had an Italian connection. He was buying dope just like any dope peddler would go buy. And that way all the agents were getting their rakeoff at the time. Another guy named Frankie Waters, you may remember from the French Connection thing. Well, Frankie -- they didn't arrest Frankie for a long time. Just before the statute ran, they arrested him. Shortly after that, Joe Lewis Miles got seriously ^{dead} ~~xxxxxxx~~ in New Orleans, and I don't think anybody has even bothered to look very damned far in that case. I know there's been no prosecution. But during this period of time that all this was going on in New Orleans, Miles was selling narcotics. My informants were telling me he was selling narcotics. I called Tony Galino and company and told them the guy was selling narcotics and they said leave him alone. This was from ~~xxxx~~ good information. So, they came down on one occasion and busted his pad, with him in it, he took off. I understand a kilo of heroin which never surfaced anywhere and there never was a charge. He did it twice. And my informants were starting to get the message. They started thinking that I was taking payoffs from Miles because they could make him and wanted to make him. But they wouldn't touch him. ~~So, well, Miles is dead and besides nothing has ever been done about it.~~ That's the whole god damned thing. Then, I was transferred down - New Orleans to Mexico City. And down there, I really got an eye full. They actually participated in the torture -- every-- anybody it didn't make a shit who it was-- what kind of citizen it was. ~~xxxxxx~~ They would actually participate in the torture of these god damned people. I got caught up in a god damn gun fight down there myself and killed 5 men. Now this kind of

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CO stuff we were running into constantly, all the time. They had a habit running dope into the United States. Past Customs. I know it but I of course worked for _____. Never have liked it. They asked me (mumbling) _____ out of South America and I can't remember exact location where it went, John, but I know the agent's name -- his name was Strickler, Jerry Strickler. And they flew it out of South America and that shit actually went on the street. There -- it was explained to me they were trying to enhance the credibility of the undercover agent. But there were never any arrests -- to my knowledge -- the shit did go on the street. Another time they tried an experiment -- putting colored or dyed narcotics on the street. Now I'm talking about quantity. I'm not talking about an ounce or two -- I'm talking about a whole lot of ~~xx~~ stuff. But they had _____ running Narcotics. And I had a -- developed an informant who was in the Mexican Judicial Police -- and he --

P When did you go down to Mexico?

Co I went down in July of 1970.

P And how long were you there?

Co I was there until July 2nd of 1971, until I come to Customs. In fact I had intended to and had been offered a job in private industry but I wanted to stay with the government if I could and I applied to come to Customs and was ~~xx~~accepted. But -- ah -- anyway, I was going to get the hell out of the Bureau of Narcotics and Dangerous Drugs. Whatever it took, I wasn't going to stay.

P Let me -- let me just ask you this. As to the deal in -- ~~Informant~~ out of New Orleans. Any specific guys that are still drug agents that you say were dealing in those --

Co That were ^{named} ~~made~~ by him?

P Right. That -- you indicated some one individual there --

Co (Frank Salvage?) _____

P ended up and then shortly thereafter the informant was dead --

Co No, that's Frankie Waters.

P Right. Were any of those--

Co No, Frankie's not an agent anymore.

P Ok.

Co They had enough on him to get him out, but they should have /

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Co prosecuted him. I mean, they had that kind of case on him. But they didn't.

P Right.

Co But of course he's dead now --(end of tape)

TAPE 9

Co Well, this -- ~~xxx~~ Judicial Policeman I mentioned. He was in this gun fight and he was shot up pretty bad -- him and I -- he and I got to be pretty good friends. He had been -- like all of them taking payoffs from traffickers down there -- ~~xxxxxxx~~ and he furnished me a list of names of the officials that were getting a portion of the payoff. It ranged all the way from the Mexican President back down to the ~~xxxxxxx~~ ^{apparatus} in the Federal Judicial Police which is in the Attorney General's Office. But -- ah -- he made mention of a guy named Joe ~~Backa~~ ^{Backa}. Joe Backa has got a high position. I think he is Assistant Regional Director in New Orleans now. At that time he was in San Diego. Customs has a file on Joe ~~Backa~~ ^{Backa}. They had a wiretap in Mexico with the Mexicans. They picked up Docker talking to the Hernandez brothers. And I don't remember which Hernandez in particular. But they were cutting a dope deal. They knew who ~~Backa~~ ^{Backa} was and Backa, of course, knew who they were. But the Mexican agent also said that Backa was getting ~~xxxxxxx~~ known payoffs but he was also dealing drugs. I don't know. I do know that we arrested Backa's nephew dealing dope, he's from Albuquerque and you know New Mexico Justice. If you're familiar with it, Backa's uncle is also the U. S. Marshal up there. Anyway, nothing happened. He was cut loose on a technicality, whether it be right or wrong, he was cut loose. But Backa took an active -- Joe Backa took an active part in that trying to get that nephew off. Well, that man's in New Orleans now, and I hear from a source down there that I really don't want a name -- he's an agent down there -- that the guy's a runner, up to his ass. So -- Gentlemen, I don't really where I -- where else to start. There's so god damned much. Certainly it -- it was known and encouraged that we go into Mexico, make cases and if we had to, smuggle it -- smuggle the stuff back. That -- that's -- that was known from the very top, you know. They didn't care.

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Co Of course, Customs made issue of it a hell of a lot, but you know. It just didn't work too good, because at that time Ingersoll was in very solid with the Attorney General, who was John Mitchell at that time. But, I set in on some meetings where this was discussed. That they had nothing to worry about. This came out of Ingersoll's mouth.

P ~~When you say smuggling -- smuggling it back, permitting the suspects to smuggle it back or --~~

Co ~~Either permitting them to smuggle it back and carry it to a destination or arranging it to be crossed, to be given to an informant, who would, in turn, deliver it.] This was a --- done in a lot of different ways but it was done pretty damned often. And it's happening in my area down there now which is not in -- well, part of its in your District but the biggest part of it is in the Southern District. They have run loads, they've tried to run loads. Some of them we caught, some of them not. But we do have information that they're doing it. That they're doing it regularly. They have been withholding information concerning smuggling from us consistently. Even if the stuff gets in the street, they wouldn't give it to us. Now, you can call it what you like but when you get specific information that there's going to be a load crossing, you can't get it. You ought to see that somebody does. But -- ah -- that's neither here nor there.~~

P ~~What we're talking about here, Jack. The role of B-DAC, FBN, BNDD, Customs, -- DEA, Customs syndrome of not providing information --~~

Co ~~No cooperation, that's right.~~

P Ok.

Co That's part of --

P ~~We're not talking about them actually permitting the stuff to go through but we're not saying that there's any agents down there letting the stuff go through. I mean -- I want the record to be clear on that.~~

Co ~~Not letting it go through that it can be --~~

P ~~Without the intent of eventually arresting them?~~

Co ~~Or -- yeah! --~~

P Right

Co As far as I know that's -- that's -- I don't know of anybody

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Co ~~smuggling for the purpose of voluntary gain for their part.~~

P Ok

Co Q But -- ah -- I don't--ah, you know, like I say, non-cooperation is not ~~xxxx~~ doing anybody any good --

P Right.

Co And I don't care who they work for. I'm very much -- this -- can you shut that thing off a minute --
(tape stops)

Co Let's see, now this occurred some time -- 1971 in the ~~W~~ Yucatan Peninsula. We were working a case -- at that time it was jointly with Customs, but the man I worked for at the time ~~xxxxx~~ insisted that Customs leave the country. They hadn't the authority to do that under the White Papers, so they forced Customs to leave. And we carried it forward. Now, --

P At that time now, you were with --

Co I was with BNDD.

P Ok.

Co So, the Customs agents left and went back -- they were out of Miami -- they went back. And we made, what I consider a premature arrest, of this defendant -- ah -- ~~but anyway, he was by himself~~ and we didn't know where the rest of the people were. They extracted the information out of him the hard way. ~~They third degreeed -- the~~ ~~Mexicans did this, now, on their own.~~

P Were there any U. S. agents involved in it?

Co I was the only one there. I saw it --

P You observed it?

Co ~~I observed it~~ observed it --

P Ok.

Co But, they had gotten their orders out of Mexico City -- the Mexican Attorney General ~~was~~ who, at the time, Sanchez Vargas. Ok. As a result of that beating, they gave us -- he told where there was a camp set up on a lake right outside of Chicamauga in the state of or territory of _____. And they had brand new house trailers there, a brand new truck, a brand new car, brand new motorboat and motor, just completely everything. And they wanted that stuff brought back to ~~Merida~~ Merida, Yucatan. At U.S. expense. So I called

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Co -- it was of no value to us. There was no narcotics involved or a damned thing. ~~They~~ They were Americans - car-the lienholder was GMC or GMAC on the vehicles and I forget now who was the lienholder on the house trailers. So, I was ordered to arrange for the stuff to be moved into Merida, Yucatan. It's a pretty damned long distance, and paid for -- U.S. funds. And this stuff was ultimately brought into Mexico City -- that was at Mexican expense and it was distributed among Brx Rodriguez, who was the Deputy Attorney General, who and we contacted in that office for all of our ~~stuff~~ stuff, in Sanchez's office, and the lienholders were making inquiries with our office, because one of the defendant~~s~~ that they had beat up on -- I made friends with him -- and he said that he would testify in a Customs case. And I called Customs in Miami to see if they were interested in it. They indicated that they were, so I talked the administrative people into releasing ~~him~~ him which was -- you know, ~~he was already in~~ he was already in prison -- but he did. But before he would release him, he wanted him -- the way he termed it -- he wanted him spanked. Well, spanked meant they beat the living shit out of him with their rifle butts -- soldiers did, just to get his attention, then they had a formal deportation at the foot of the -- went out to the airplane and off he went to Miami. But, I suppose he told the lienholders where this stuff was. Anyway, then the man lied. The man, ^{Arpio} Joe ~~RxxRxx~~, he was the Regional Director at the time. He lied -- to the lienholder. And -- which he was in the habit of doing. He never told the truth very often. He also falsified nearly every report that came out of there concerning progress. We were making a few cases. Some of them were actually made by us -- and I consider silent cases, but the biggest part of them were fabrications that came out of -- it made it ~~look~~ look pretty god damned good but it was bull, pure bull.

P Where is Arpio now?

Co Boston. He's ~~gotten~~ gotten put in some sort of limbo now. I had a great deal of trouble with him. I _____ to you, I'm certainly not a fan of his. I don't know too many people that are, but I'm certainly not one of them. I refused to write these reports. I

Co had been writing progress -- what we call progress reports for years, in region, in New Orleans and when I came to Mexico City. I came there because I had headquarters experience and could write these reports -- but I wouldn't falsify. So I ~~had~~ heard -- that was the start of my troubles. Then, he fabricated some stories to Customs about _____ Rodrigues as to Customs entering the country. And apparently he bribed _____ by getting him trips ~~to the United States and various other things to say exactly what~~ he wanted him to say. And I know this personally, I was there. I know. I'm not guessing. At that time, I was sitting in on all of these things, and I know exactly what was going on. But anyway this was (unintelligible portion)

which was all wrong

so when the corporation counsel came down there, or Operation Co-operation, they couldn't -- nobody could contact, officially contact the Mexican Government. It had to go through Ar _____. But anyway -- it was staged situation, by the way, so they didn't get the true picture either as to what was really happening down there. It wasn't near the amount of stuff getting out of there --- getting seized that was being reported. So -- let's see -- (tape stopped). _____ the same situation that occurred in Yucatan occurred also in ~~ENNA~~ Cuernavaca. We down there into a little colony, mainly inhabited by Americans. And I can't give you names -- they -- they're gone -- as far as -- I can't remember. ~~But this was 70 or 71. And again we seized a marijuana press -- it -- was two of them -- one small and one pretty damned big --~~

C Marijuana press?

Co Yes. No marijuana -- a lot of empty sacks there. They'd been apparently bailing a lot of marijuana there, but nothing -- nothing was seen. Let me answer that. (tape stopped) We were in Cuernavaca and we found the marijuana presses and empty marijuana sacks. It was actually -- if I recall -- three separate houses in this little compound occupied by Americans. And they had some pretty nice ~~stuff~~ stuff -- hi fi's, ~~stereos~~ ^{in the habit of} and that type of stuff. And they -- they're/ stealing everything -- just right across the board -- just whatever they wanted, they'd just take it.

C By they, you mean the Mexican Federale Police?

Co Yeah, right. And so ~~we~~^{they} had stacked up a pretty tidy amount of, you know, personal property of these people and wanted it hauled in. And again that was hauled in at U.S. expense and when it got in Mexico City, it was parceled out to the various Mexican officers that wanted it. But I made a -- complaint about it to -- Arpio. I told him that even if we weren't taking anything ourselves. We were there and it looked like hell for an American agent. It was getting bad with it getting back in the sub-culture that American agents were involved in all this stuff and so I wrote a report and he demanded that I tear it up. ~~That he would write a report that the Mexicans were now honest and had straightened all their ~~correctional~~ correctional problems up and I wouldn't do it.~~

(answers telephone; tape stopped) I wouldn't destroy it --

(tape ends.)

P Indicated to him that he could tear it up, but you weren't?

Co I would not tear it up, that's right. But he wanted it, not necessarily torn up, but toned down, you know. And I was indicating that it was widespread. And he wanted it -- ~~xxxxxx~~ portrayed as an isolated incident. And I told him that every time we went out with these people, that this happened. And, for god's sake, we set up a lot of people down there that the Mexican's went in ~~on that there was no narcotics seized but god damned it, they'd~~ take whatever they had anyway. ~~Just~~ ~~xxxxxx~~ based on our allegations these ~~wx~~ guys were crooked. They'd still take the money. Or whatever they had. I seen them take the damned jewelry and stuff and give them a knot on their head for -- for crying about it. I seen this happen many, many times. And I'm telling you that this was known -- it's still going on. It's known. But I felt that we were responsible, in a way, for this ourselves. So I continued -- everytime we went out. But I was -- I couldn't put it in the report itself. I had to put what we called administrative page on the report and that had distribution only in headquarters in Washington and our office so there was only two copies. So I don't know that any of those reports ever got to where they're supposed to get. But I'm not the only one that can

Co that can testify to this -- that they did this. And they did it often. And, like I say, we were responsible for ~~setting this up.~~ ^{setting this up.} ~~stuff.~~ There had been occasions where these people were -- more ~~or less suckered into Mexico --~~ ^{into the hands of these} ~~Mexicans.~~ ^{It got real tight.} We felt like we couldn't get the dope that _____. And sometimes there was some innocent people involved. That didn't have a god damned thing to do with -- with the dope deal, they just happened to be in the damned party but they had to go too. One specific ~~incident~~ ^{two} involved ~~damned~~ ^{two} damned well crooks. One of them was fugitive here in the Western District, out of El Paso, named Robert ~~Wamx~~ ^{Wamx} Bowles (or Bowes) and the other one was -- had been under investigation several times named George Smith. Well, I worked undercover on the case. They delivered ah a scuba tank ~~full~~ ^{full} of cocaine to me in Mexico. But they flew up in a plane that could only be piloted by certain type pilots. Now this was one of these turbo-jet aircraft that Smith had bought. These guys ~~were~~ ^{were} weren't involved in the deal. In fact they had been excluded from any conver-- I think --- I've never saw -- I didn't see them or talk to them, ^{in the whole} ~~no~~ negotiation, there wasn't any indication that they were in any way involved. But they ~~landed~~ ^{wanted} the plane. So we went out to the airport in Mexico City, with the cocaine, with the crooks. And they found in the house cocaine -- a little more. Now I saw them take the cocaine out of the scuba tank, put it in the burp bag that they had taken off the ~~airplane~~ ^{We} ~~it~~ had a little Easter egg ~~hunt~~ ^{hunt}. They seized the plane. Now they can seize the pilots, right? So they went back to the hotel and grabbed these two poor bastards up out of bed and they ~~went~~ ^{went} went to jail. I mean, I didn't want to be a party to that kind of crap. And ~~that was the last case I ever made for BNDD.~~ ^{that was the last case I ever made for BNDD.} I went -- it happend I forget now the exact date -- it was -- ended on a Friday and like that Monday, I went in and told them I had had it. That I wouldn't pull off any more. But I was a ~~group~~ ^{group} supervisor down there and on paper, the number 2 man for all Latin America. You cannot believe the stuff that I saw come across my desk. Or the stuff that the agents would come in and report to me, which I would in turn report

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Co -- nothing would be done. It never got out what was going on down there. I think that if the truth were known, that the investigation they're doing on CIA would pale by comparison. I mean it. It's -- it's rotten. It's been going on down there for some time. Anyway, you want specifics and (unintelligible).

P ~~Let me just clarify this, Jack. In other words, these allegations~~
~~regards actions in Mexico in the years 71, 70, 71, when you were~~
~~stationed down there. Primarily those actions were at least ram-~~
~~rodded by the Mexican officials, although there were cases in which~~
~~BNDD was working in and sort of took no actions to sever their~~
~~ties with the Mexican Federales after they happened.~~

No,
Co ~~xxxxx~~ they never did.

P Ok.

Co On one occasion at the Linconberry prison in Mexico City. We had arrested three Italians. They had just gotten visas into the United States and there was some indication they might have narcotics. We'd been surveilling them for some time. One of them was wanted by Interpol, out of Italy for a murder. And, you know, anyway, when they left Mexico City, we stopped them outside of Mexico City on the toll bridge and brought them back in to -- it's a kind of a overnight cell that they a lot of times keep people for months in, but it's called La. It's not Linconberry prison but it's a kind of hold-over, temporary type detention. One of these men's name was DeStefano, now his grandfather was pretty famous as an opera singer, and -- in Italy. And in questioning the guy, the Mexicans started getting a little rough with him, and one of the American agents jumped in and started battering hell out of the guy too. Well, they were -- the guy was making quite a lot of racket, you know, hurting. They never gave him a chance to answer a question, they just were really giving him hell, stomping him, kicking him. The guy was hurting pretty bad. So this agent took a pair of socks out of the guy's suitcase and crammed them in his mouth, you know, where he couldn't scream and he couldn't answer the questions either, which they were asking. And, ah -- really giving him a going over. I finally walked up ^{he better} and told him/xx lay off. If the Mexicans wanted to do it,

Co you know, we're in their country, we couldn't. But, we were only interested in searching their car, which we never did. We never got a chance to search it. In other words, we were ~~xxxx~~ inside but we never got a chance to put it up on a grease rack to see if there were any narcotics there. I think there was. But ~~the~~ was a situation where if the Mexicans said no, we had to accept the no because I think they thought there were narcotics in it too. But, we'll never know. But, always the narcotics that we have ~~anything to do with seizing, would always get back in the street.~~ We never witnessed destruction of heroin or cocaine. We never saw that. The marijuana -- one case, one particular case, I was the undercover agent on a ton of manicured grass, and I know exactly what was there, including one huge cardboard box that was ~~xxxx~~ seed ready to be ~~xxxx~~ planted. This box of seed weighed 15 kilos. When we had the ceremonial burning, I was particularly looking for that box of seed which wasn't there. A little bit more than half of what we'd been ~~xxxx~~ originally seized was there. So, that's the things I know personally. I know -- we seized about 40 kilos of cocaine and the informant who made the case there for us said there was a 15,000 some odd dollars that -- that one of the South Americans had when he was arrested. Well, we weren't allowed to participate. We told the Mexicans where it was and they wouldn't let us participate. We wanted for -- any intelligence we could get, you know, papers the guy might have, phone numbers, anything we could get. They couldn't find the guy, you know. He got away. Found a suitcase that had 3 or 4 hundred dollars in it. So, we found out later what happened. They took the money off the guy. This was a guy named Rene SanMaria and very notorious, but -- ah -- but we would write these things up and in this particular case I wasn't allowed to write this up. This guy named Roberto Marino wrote it up. He was also the one that beat this guy DeStefano. And was ^{Arpio's} ~~xxxxxxx~~ man ^{Arpio} that would do whatever ~~xxxx~~ told him to do. And so none of Marino's reports came to me. Everybody else's did but not Marino's. I was a grade 13 and he was a 12. But that's the way things are.

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Co He was willing to do it. It's --

C Arpio is still in the employ of DEA?

Co Yeah, Yeah. (tape turned off.) Six months with DEA.

P ~~Ok, you were here for a period beginning when, in El Paso?~~

Co ~~July 2nd 71 to November 4, 73,~~ about that. Almost two years I was with Customs. But -- ah -- during this period of time, we run into a you know a different situation with three DEA agents that were here -- ~~Jesse~~ ^{Jesse} Bautista, Oscar Lecombe, and Joaquin Legaretta -- no four -- and John Mattingly. Now, I don't Bautista was able to ever control these three other guys.

C Was Bautista nominally in charge?

Co Yeah, he was in charge. But Jesse was -- ah -- you know, ~~xxxx~~ he's getting to the point now he's ready to retire and -- and I think if he didn't have a house full of kids he probably would have already. But Jesse's -- ah -- he -- I'd say he's easily conned, you ~~na~~ know.

~~I know that these three could con -- con an eskimo into buying an ice box. But they ran pretty wild -- pretty wild in El Paso. They were -- did mostly -- pretty much what they wanted to. Especially over in Mexico but -- one particular instance -- I can't remember the guy's name. He was a sorry bastard that said something to Oscar Lecombe -- he was off duty. He was over at -- I believe it was at Portafina. A joint right across from the-xxxxxxxxxxxx restaurant right across from the roadway in Juarez. I think it was the Portafina. But -- ah -- all three of these guys, now told me this, I had no reason to doubt it. And I've heard it from other sources since.~~

But, somebody said something to Lecombe and Lecombe called Legaretta ^{Mattingly} and ~~Mattingly~~ and they came over there with baseball bats. And waded into the guys over at Portafina and beat the hell out of them with baseball bats. And, of course, nothing was ever done about that.

C Who were they attacking or fighting with?

Co It was some guy that had said something to Lecombe. I mean -- it was ^{crook} -- he's a cook over there. It was some words exchanged over there

68.

Co and -- so, Lecomb took it on himself to call the rest of them over there and they waded in with baseball bats. And, you know, came on back. But a lot of people knew that they were -- I ~~knew~~ -- knew that they were with BNDD at that time. -- that were BNDD agents. And -- ah -- Lecomb was working undercover one time at -- we were at the -- ah -- Holiday Inn - airport. Dealing with some young kids, hippies, and one of them's name was Mark Files and I can't remember the other two guys. They were -- the guy didn't -- he was supposed have some LSD to sell. Well, Lecomb wanted this to be -- you know -- a lot. So, he finally got the guy to get a ~~bunch~~ bunch of corn starch to come up with 29 pounds of LSD, which is just -- trace of LSD. But it took -- we killed a lot time -- we were out there on a case, besides being a screwed up way of doing business, -- waiting for the son-of-a-bitch to go cut this god damned stuff with corn starch. And I don't know _____ but I do ~~know~~ know about this 29 pounds because I was out there. I was on surveillance during the whole time. And heard part of the conversation. I know that -- that's fact. ~~But he, according to~~ ~~an agent that reported it to me, that~~ -- ah -- Lecomb would, you know, buy dope and cut off part of it, you know, as payment to the guy that brought it in. And, I know from my own experience (tape ends)

TAPE 11

R Co --violation of BNDD regulations but _____ a violation of law to do that.

C ~~Do you have any personal knowledge, Jack, of any instances where Lecomb actually did that.~~

Co That I actually saw him, no. But there was an agent present when he did that.

C Do you know who it was?

Co Yeah, Herb Hales?

C Herb Hales?

Co Yes. He actually saw it.

C Approximately when did this occur?

Co Jesus Christ --

C What year, do you know?

69.

Co This year, I believe.

C This year?

Co I believe ~~that's right~~ so.

P That was with regard to what allegation? The 29 pound deal.

Co No -- no that occurred in 73. I know that.

P What one are we talking about?

Co This one where he gave part of the purchases of heroin to the guy that brought him into the connection.

P Oh, I see.

Co As payment.

P Ok.

C Actually gave the informant part of --

Co It wasn't the informant. It was a kind of unwitting informant.

That brought him in. ~~there's so god-damned much stuff.~~

P Will how long have you been gone from El Paso, here, Jack?

Co I left November 4th, 73. And I've tried to stay away from these people as much as possible. I--I'll tell you one that happened in San Antonio. You're familiar with it too. ~~That Rudy Ingersall case.~~ You remember that dentist there -- 73 -- before the merger. And I was still with Customs and --

C I do remember a case on a dentist, I believe.

Co Didn't we have -- didn't we -- conference in Judge Sessions office and talking -- we had -- oh -- Vanderloo and a whole bunch of ATF people, we were talking about a lot of stuff we'd dug up in our investigation that was a kind of shotgun -- every agency had a shot at the damned thing. Seems it was in April, ^{or May} 73. I know once you were called in on. But, any way, in that particular case there was a contact put out on Ingersall. And before we had started into the investigation too ~~deep~~ deep, we went to BN and asked if they had anything they were doing on these people, Ingersoll, Jim Dement, guy named _____ a ~~whole~~ whole lot -- Jack Hanratty. They said no, didn't have anything. Not a god damned thing. And -- ah -- turned out they did. They had a guy named Johnny Castillo that was an informant of theirs that had been approached by Boyd Beck and Bobby Ray Irwin to kill Ingersoll. They knew this all the time and we found out about it through a completely different source. That there was a contract on him. We didn't take a chance. We sent the

Co guy up to Dallas. Put him in a hotel up there. And the guy made a mistake and called a broad that he knew in Dallas -- but, anyway, Castillo ends up in Lake Lakemeyer, deader than hell. And Castillo was an informant that had just got through working some cases in Detroit. He had just come back into town. So, we were sure, you know, that they were setting on all this god damned information for themselves. And, you know, what else. Which could have been disastrous for us if we hadn't lucked out and got our own piece of information. It was disastrous for one man. And I -- I think stuff like that. I can't see the sense in it. ^{But that's} ~~Waxxxkxkx~~ about it its in ~~xamxxkx~~ the files in San Antonio. Very well documented. They had me write that up after Castillo was found and we got the whole story. Well, boy. Then, in Mexico, I worked with a guy a very short period of time, two or three weeks. He came down to take the place of somebody who'd gotten run off by Arpio. His name was ~~Frank~~ Frank Guzman. He came out of New York to Mexico City. Got in some trouble down there and got bounced out of Mexico. And he was sent to New Orleans. He got sent out of New Orleans to Nashville, Tennessee. All right. ~~Frank supposedly developed a conspiracy case on a guy by the name of Lee Chagra and a whole lot of other people -- 45 of them.~~ Well, Frank came out here before I got back into Customs. And he said, you know you have been working on a guy named Tim O'Shay. I said yeah, I have. And he said I understand you've got some tapes, tape recorded stuff he gave you on all these people. I said yeah, he did, but he ~~axexxx~~ gave it to us with the understanding that it wouldn't be used unless he got granted immunity. Now at that time, Bill Sessions and I worked together on that thing. Sessions and I went over to Uvalde where I had him in jail and we talked to the guy and it was all explained to him. ~~Xaxx~~ Even though we couldn't give him immunity, we wouldn't use the tapes. Gentlemen's agreement - that he would go ahead and tell us but we were waiting for an answer out of Justice which we never got. But I had the tapes. But being that I was no longer really in control of anything while I was with DEA, those tapes ended up in the hands of Frank Guzman, and I don't know where they are now. They ended up with Guzman. Guzman asked me to take him out to -- to -- ah -- talk to Shea. I told him yeah, I'd do that. I'd take him out there and

Co introduce him and give him the pitch but it was up to him if he wanted to cooperate. You know, I would ~~x~~ just make the introduction, and that's it. And they went out there on their own. Guzman and some other people who I don't know who they are. They came down in an operation they called Sand Storm that they were working on _____. Anyway, they insisted that Shea cooperate and they were threatening to take him and the ~~xxxx~~ tapes and everything to a grand jury. And give the tapes to _____. Well, he was concerned and he called me, and I got concerned. I called Bill Sessions who was still U. S. Attorney in San Antonio. He ~~xxxxxx~~ assured me and Shea and everybody that the agreement still held. ~~But the next thing happened, Frank Guzman got bought.~~ Now ~~they know that he took \$10,000 from a lawyer in the case and they think \$33,000.~~ Now I got some information and I don't really want to say right now, but I understand ^{Buddy} Brother & Chagra and some of these other people around here paid into the kitty to buy the singer. He was putting out the word, you know, not to everybody but I mean a certain few that it was in _____. We thought with the courts but it was better than that. It went right straight to the agent and and they ain't never done nothing about that. They just fired the guy, but they should have pursued that god damned thing because I think most of that originated right out here while he was here. He was here a long time working on a case.

C What was ~~xxxxxxxxxxxx~~ Guzman's position?

Co Special Agent, DEA. At that time DEA, formerly BNDD, formerly FBN. He had been around a while.

P When was he fired?

Co Not long ago, just a few months ago. So that's a matter of record with --

P And he was the case agent on the Chagra case?

Co Yeah, god damned sure was. Sure was.

C And you mentioned that there was evidence that he had received at least \$10,000?

Co Right. They had -- I don't know they got it, but they had a scrap of paper that said IOU \$10,000 and signed Frank Guzman you _____. But that was just a loan, but the word is ~~RRX~~ --

72.

C Who was that supposed to have been from? Who'd he get the money from.

Co One of the other lawyers in the case, I think, in Nashville.

But the word among the _____ ^{word was} talking the _____ easing out they was \$36,000 took _____ not all in one lump sum, but --

P What was Guzman able to do for them in return for that amount of money?

Co ~~It was unbelievable screwed that case up.~~ That case wasn't prosecuted when he got through with it. His report was bad; everything was bad. A lot of things he didn't follow up on, he should have followed up on. Just -- for a conspiracy that -- I think they ended up with 45 defendants in the damned thing. You couldn't convict hardly anybody with what he wrote up. Anyway. The case was thrown out and he retired and there wasn't anything else said. ~~Very~~ Very quietly got away.

RX Were you aware of it? Aside from the case being thrown out?

C Well, I was aware the case in Tennessee and Chagra had been dismissed but I did not know, I don't know any of the facts and circumstances.

Co I didn't think _____ because I am sure -- as long as he was out here, I know god damned well, that it originated right here. I'll lay you any odds on it. Now I don't know where those tapes are. I've got no idea where they are.

C ~~How did Guzman come into possession of your tapes of your conversations with Shea?~~

Co ~~Hell, I -- I worked for the outfit. I had to give them up. You don't understand this outfit. John, they're not -- they don't play by anybody's rules but their own.~~

C Well, who would have been the proper custodian of those tapes?

Co Me. Under the circumstances.

C But under the regulations or rules of the agency, you had to give them up, all right, to whom?

Co Well, I -- I gave them up to, I believe, Bartorff.

C & P ~~Bartorff? Bob Bartorff?~~

Co Yeah. That's another story too, but I had to give those, I believe --

R P He was then the acting SAIC out here?

Co Yeah. Either gave them to him or Roberts^{on}. Robertson got a promotion shortly after coming into DEA. I might have given them to Robertson.

I don't remember. I was really proud about every getting anything.

3.

Co a source of But I had ~~such~~ assurance that they wouldn't be used where they intended to use them, so I didn't pursue it any further than that. Also, along about that time I had a lot of personal problems. My wife was sick and had to put her in the hospital. I got a hardship ~~transfer~~ so I really didn't care that much, other than keeping my word to the boy. Aside from that, I let it go. But knowing what there's I know about Guzman and also as an agent over there in New Orleans, which is still DEA. I -- hell I've been in narcotics with him for - jeaus - years and he told me confidentially what they had on Guzman as far as the rest of the money. One they ~~knawxnf~~ ^{nailed him} for sure was \$10,000 but the rest of it was around \$36,000. It had come from another source here in El Paso. Bunch of crooks -- it was \$36,000. Far as I know it was \$36,000. I believe it. The guy that _____, they were making tremendous amount of money off this narcotic. I am sure they had it to pay. Because I'm sure it was worthwhile paying. Of course, it's an embarrassing situation, too because that would have made some kind of headlines. But -- you know, let me give you an example. When I left BNDD and come to Customs, they had no idea I was going to do it. I couldn't tell anyone I was going to do it. They're the most vindictive bastards you ever want to meet. If they find out you are fixing to go out, if they can wreck you before hand, they will. So, I had no problems as far as my job performance, no way, I -- In fact I had gotten two awards, back to back. One of them came just about four days before I actually gave them the word I was quitting. So they couldn't do a hell of a lot so far as -- you know, bad mouthing me after -- one of the awards came directly from Ingersall for something I did in New Orleans. But it came directly from him, so -- when I got back ~~wixk~~ ^{word of} the merger, I got a message. Now you're going to find out how the Jews felt when they fled from Germany to Austria. You know, they didn't have to tell me that. I already knew it. I'd been in that outfit a long time, and I'd seen this kind of stuff --

P Who told you that?

Co Off the record I'll tell you, but not on the record.

C Well, it doesn't do us any good unless we can use it.

74.

Co Vince Memalo

C Vince who?

Co Memalo

P Who is he?

Co DEA. _____ I think he is a training officer in region in Dallas.

P Do you think he said that in a position to enforce it or --

Co I think -- ~~he~~ no he wasn't in a position to enforce it. I'm pretty sure he was delivering a message and ah -- so. Saul-- ah Flint. Let me tell you about Flint. The allegations of the gentlemen this mi----- (TAPE ENDS)

TAPE 12

Co Regional Director of DEA in Dallas. The informant who gave me the information about all the other agents, which proved correct, also gave information ~~h~~ about Art Fleur. Art Fleur was demoted and transferred. That's all that happened. Transferred to Arizona. But now he's back up. But we always -- there existed in headquarters what we called the Purple Gang. The old bureaucrats. I don't care what name you given them. ~~That gang has prevailed throughout. Now Ingersoll may be at the head, or Bartels, or Geradonald.~~ _____ that same heirarchy has been there and is still there. Now granted a few have retired here in the last year. I think behind it -- some pressure has been brought to bear. Congressional hearings. Some of them chosen to drop out. That same group is there. They always make the policy. They always will as long as they're there. This -- this -- you can see for yourself or ask anybody who's been around this business very long. But that was a group that ^{you} did not want down your back. If they told you to do something, you'd better ~~hax~~ get doing it in a hurry, because they weren't going to accept any other answers except _____. Now, One time I was called -- this was during the same period of time. I think it was late 67 or very early 68 -- still hadn't had the merger, with BDAC, called at home, I was acting agent in charge in New Orleans, told to stand by, don't leave for work. He's called _____ my next instruction was call in sick. I called in sick. Next question was you got any wiretap equipment. I said no, I don't have any ~~wiretap~~ wiretap

75.

Co equipment. Because Senator Long's committee was running amuck. We turned in everything. They said, well, can you get it. I ~~xxx~~ said maybe I can get it. Gulf Port TV had a ton of it. Yeah, probably can. Well, see if you can and call us back. Called back. Ok. He said we're going to tell you who to put it on but I tell you if you get caught, you're going to get fired. I said well I'm not going to do it. You'll forget it. He called back later and said, well, we'll reprimand you and transfer you. I said no sir, I'm not going to do that. You know, if you're not going to help, you're not going to back me, the hell with it, I'm not going to go. So, they decided I wasn't the right man. They never told me who to put it up. But they damned sure -- I'll ~~guarantee~~ lay you odds somebody put it on.

E P Who called you to tell you that?

Co ~~Frank Papas. You know Frank Papas hasn't got sense enough to know~~ what wiretap is. Somebody _____ cause he didn't know anything about anything.

C Jack, do you have any other information about -- what might be violations that evolved or occurred in El Paso while you were here?

Co You know, I kinda think -- ah -- ~~I have suspicions about~~ one and I'm not -- I'm not in a position where I can give you first hand information. Now Herb Hales ~~would~~ would -- he could tell you if he wants to tell you. I understand -- they had a gun fight over there -- but the gunfight --

C In Juarez?

Co In Juarez. But we are sure from information we get from our sources that it wasn't really a gun fight. The one guy had a gun. Man never found that. He never found the gun. So it looked like, although there may have been one gun, the rest of them didn't have them ~~when~~ and they were fleeing. In the process of flight, Lecombe shot one of them, fleeing. Tried to get Hales to do it and Hales didn't do it. And he emptied the gun, emptied the god damned gun. Still alive, though. Shot to pieces but he was still alive. And one guy they ~~xxx~~ found in a field that -- couldn't determine where he was there or not, but he'd been shot, too. But he was a rotting skeleton w you know, when they found him. He'd been just about right -- died about

76.

Co the right time but no way really of saying that guy was there.

_____ that was skimmed over very _____.

P When did that occur?

Co It occurred-----

P Hales can give us the details on that?

Co Yes he can. He sure can. Now I wasn't there but the pattern, whenever you have a shoot-out in Mexico, it gives you _____.

You don't tell the truth. Officially or unofficially. I ~~know~~ did. My reports in Mexico have got the truth in them. In my judgment. The Mexicans may change one to go except all the responsibility for it. And he did officially with the Mexican government.

Which _____. They kept the thing as far as they could. Inspection is supposed to investigate every shooting. Not necessarily the individual but the incident. And they didn't this one. Because Arpio was super tight with Ingersoll and got Ingersoll not to do it. He didn't want an investigation in that office. He couldn't have stood an investigation. Now the shooting would have been a vehicle for them to be in there and once they were there, it would have been holy hell. And he knew it because in less than a year _____ before he left _____ and he really couldn't survive it. So, whatever strings he pulled with Ingersoll, and he ^{did} admitted he/pulled the ~~strings~~ strings, there was never an investigation. They accepted what we put on paper as correct. And it was -- it was correct. Still it should have -- should have been done. Now vouchers=and things like that, there were fraudulent vouchers. In other words, they bought things for Mexicans that were charged off some other way. I was supposed to review and approve vouchers and I wouldn't approve some of them but Arpio did. _____ when I wouldn't do it, he'd do it. But they were always _____, you know, like \$45.00 for a god ~~damn~~ damned breakfast for two people _____ in Mexico. So this kind of shit went on and on and on. And, well, hell, so _____ in the process of ~~hiding~~ hiding reports, we were under orders from the White House to furnish all copies of our reports concerning smuggling to Customs. We didn't. We gave them some things, but we had two sets of files. We were like a bookkeeper chiseling keeps two sets of books. We had another set of files locked up in the safe.

77.

Co We _____ we had a ~~lx~~ liaison man there in the office. In fact he was so fogged with footwork, he really thought everything was beautiful. No way. No way. We -- cut that thingx off. We had one man reviewed Mexican newspapers. If he read there was a seizure somewhere in Mexico, he would call wherever that seizure was made and get the names of the defendants, the amount of the drugs, and write it up just like we had done it. And this was -- ~~this was a pattern and he took credit for everything that was done like that. Unless it was a small amount of marijuana or something, mainly hard narcotics. This~~

P This was at the direction of Arpio?

Co Right.

P Who made up the reports?

Co Well, when I refused to do it, he did ~~hx~~ it. So he did it himself. And this was very often, -- now the one who actually wrote the BND-6 as we called, which is an investigative report, mostly Burton and Laredo, Burton Laredo would write it. Now there were certain things that he had been directed to do on some major violators that we had surfaced, ~~hx~~ that he didn't do. George Belt that has just recently retired, came down with a real scorcher directed at me to get one of these reports. And I -- it was supposed to come from Laredo. Taken out of my hands and another agent's hands and assigned to him. But he wouldn't do it. And I went to Arpio and showed it to him. And he said it wasn't any of my business. But there was another one came down -- another teletype. ~~This was getting nasty. So I wrote a BND-6 showing my efforts to get ~~ax~~ a report, just to cover my ass, because that was the game we played, cover your ass. So, that memorandum was returned to me. It was a big red X and returned. And so I wrote a memorandum to him and sent a copy to Washington, explainining what I had tried to do. And he couldn't fight that, but I did get a severe ass chewing from Arpio for sending it direct in, but that was the only way I could do it. And keep the problem from happening to me. But I don't understand really why he wouldn't do it. Now there was something there that I didn't know about, going on, but -- very strange. Oh boy. So I did write a memorandum also covering the graft. I set out exactly what type~~

78.

Co officials were getting how much, how often. And the process it took to get a badge in Mexico -- you buy your badge. And you pay to keep it -- pay \$500 a month to keep it. So I had all this broken down in a pretty damned lengthy report entitled, you know, police corruption. I seriously doubt that thing went anywhere, really.

C You submitted that to Arpio.

Co Yeah. But I get you a copy of it.

C You think you still do have a copy?

Co Yeah. Now I can give you a lot of dates -- I've got my -- you know, we made daily reports. ~~A lot of this stuff, I can pinpoint exactly. With dates. Which you would need, right. As far as Guzman in~~ Nashville, I don't know how you are going to go about getting that unless you can -- got a way to pry it out of DEA inspection, and I don't know whether they would give you the whole package or not. Maybe they would. I don't know. I don't want you to take my word for it. I know what I am telling you is factual. The man is gone and that's why he is gone.

C Your surmise is they let him out with a resignation in order to avoid the unpleasant publicity that would result from anything else?

Co Yeah. It dang sure is.

C And he was able to botch up the case so much that it resulted in the dismissal?

Co Yeah. And I do believe that he got a lot of information that he would have never got from those tapes. That he got from me or in any event that came from me. Now I should have copies those tapes. I didn't though. I should have. But for the most part, Bill Sessions knows what's on them. I mean, you know, he heard them. I think he was there when I got the tape. So I don't know what his exact recollection would be on it, but we did write reports on it. There is a case report. I -- just Thornton and S Abraham that same case. Ralph wouldn't go on it. He felt like it was not enough.

C By Ralph, you mean Ralph Harris?

79.

Co Harris, yeah. Now, I talked to Jamie about a good bit of this stuff. And Jamie, of course, pretty damned solid guy as far as I am concerned. He was concerned about ~~afxhx~~ some of the things going on and our -- I'll tell you I didn't ^{Ron} ~~gat~~ go to ~~xxx~~ -- now I don't want this to sound like an allegation -- it's not, please believe me, it's not an allegation. ~~I just wasn't really sure~~ that ~~I could talk to Ron~~. Because Ron was fairly new at the time and he was -- I think -- enamoured with ~~Mario~~, you know, Martinez, the former U. S. Magistrate. And I had an informant that was around the _____ a lot and that they were -- he was telling me that they were getting ~~xxxxxxx~~, you know, really special treatment at the _____.

C By they, you mean-----?

Co Ron and Mario. ~~And I didn't really~~ (TAPE ENDS)

TAPE 3/3

Co -----you know what he might say to ^{Mario.} ~~xxxxxx~~ You know, as far as Ron is concerned, I don't think Mario -- may _____. At that time, he was pretty impressed by Mario. It was obvious. ~~They would go out together with their families and all that. I just really didn't trust Mario more than I didn't trust Ron, you know it wasn't that.~~ I was just afraid of the friendship. And even after Mario left office, Ron was in the U. S. Attorney's Office, they still went out together. As far as I know, they still do. I don't know I haven't been in contact with this informant for some time. But they were getting very, very favored treatment _____.

P What is this Golfing Club?

Co ^{race track} It's a dog track/over at Juarez.

C Who was giving the favored treatment, Jack.

Co _____ owned by the _____ that's who owns the god damned thing _____.

_____ special treatment ----- when they came in they were really _____. I just, like I say, I didn't trust Mario. He may be a great guy, but I don't think so.

80.

Co So, _____ some things I told Ralph, ~~xxxx~~ in his official capacity. I knew Ralph pretty well, but he didn't seem interested. He never proceeded. The case on _____ I thought was pretty good. It's probably in the U. S. Attorney's office. You may want to pull it and see about it. _____ getting rid of some evidence, and he arranged for it and I expect _____ the whole shebang. He was actually right after the commission of other crimes which was ^{a federal} assault on/an officer. These agents were taken out in the desert and arranged _____. In fact he told one to run _____ and they both talked to _____ got the god damned _____ together and he told him to flee. ^{was a defendant in the case} Kem Shay/and he told him to flee. I _____ including everybody. _____ told her to get the gun. She was the least likely to be under surveillance. You know I thought _____ had it documented. But _____ that's neither here nor there. So nobody was particularly too interested in this kind of stuff so I didn't worry about it. It wasn't my job. This is the first time I've really set down and told anybody. This isn't all of it. I ~~could go through my~~ ~~days and remember as I go along.~~

P We really appreciate you doing that, Jack. You know, trying to pull together everything that you've got. Particularly as to the details if we're going to make anything as to the allegation against Arpio ~~because~~ ~~xxxxxx~~ basically if he was filing false statements, it is going to take a lot of review to go back to them and getting them tied as to facts and cases and most of the things you have told us today have been in that area, when you were in Mexico in 70 and 71. And, correct me if I'm wrong, they do involve allegations against Arpio and basically against him only. Is that it?

Co No -- Marino -- Marino was --

P Ok, well, you know, if you can pull those out and get the details that'd be fine.

Co I can pull out some names of people that got the ~~xxxxxx~~ hell beat out of them and when and when the things were pretty much -- when things transpired -- writing reports. _____ Mr. Pinckney,

I don't have access to all those files anymore.

RM

P What I'm saying the ones that you can identify, then I -- I mean it's impossible for me to go -- anything without some sort of date, some sort of entry into the system -- defendant or date.

Co Yeah, I can give you that. I can give you enough to come up with
the files. A Lot of time I could -- you could refer by a
bunch of names. I can give you the principle name like _____
and case number so you can zero in. Now this deal with the informant
in New Orleans and
getting murdered _____ whatever. Those files were never put out
_____ these files are always locked in my safe in New Orleans
and headquarters and such and I don't even know if these files exist
or not. Because _____ gone through
~~Geordano~~ Geordano and Ingersoll and Bartels
and I don't know who the _____ is now. I never heard of him.
(~~mumbling~~ mumbling - unintelligible) Really bad stuff.

C Well, whatever you can furnish us by way of dates or names or files numbers that would help us identify specific records would be helpful. If there are other matters ~~which you think of or think ought to be brought to our attention, whatever it is, we'll be glad to have it and review it.~~

Co Well, this smuggling operation I was telling you about where they brought the stuff into the country. That was not ^{with} ~~in~~ Arpio's original knowledge. In fact, he was pretty pissed off about it because they just sent him a copy of the report marked secret that it had already happened, you know, ~~it was a big deal~~ when he started getting stuff back and forth. And similar operations exist. But -- ah -- there was so god damned much of it.

P Where -- what is your present status now. Again, I know you put that on the record. You're in Laredo.

Co Yeah, I'm Director of the Customs Patrol. You know, Dave Porter _____ the exact same position. But I was former Chief of Police in Kingsville and Deputy Sheriff of Beeville before this. This October will be 22 years in law enforcement. And _____ tolerate) _____. I've shot quite a few men but which it was justified and I was shooting back. They started it. The Mexican agent -- I don't know -- _____ and I are pretty good friends .

Co _____ speak to others for me. But he could tell you a hell of a lot. And a lot of stuff went on but -- between Arpio and Marino and the Attorney General's Office of Mexico. We _____ because he kept us away from it. He wouldn't allow us -- nobody to. Originally I had been the liaison over there you know we would need officers to go work a case. They were completely untrustworthy. We -- we'd only tell them that we had a case and that we needed them. That was when a case was ready to go down. Ready to bust. We never told them who, where, a damned thing. It was sent over ^{to the} embassy and we left. We never told them. You couldn't tell them. It was -- it was --

P You're talking about the Mexicans?

Co ~~Mexicans. It was suicide to tell them. A lot --~~ I feel like innocent people suffered -- who had no involvement in the drug set up. But ~~xxxk~~ you know, it is easy to get in jail there but a son of a bitch to get out. You can't do it half the time.

P Well, most of the case, the Mexicans -- it was their baby at that point ~~xxxx~~. I mean, you talk about their beating up on people, they were in their country, in their custody, violated their laws, and ~~you were present or you never saw fit to intercede and take over this situation.~~

Co ~~No -- I couldn't~~

P ~~You couldn't do that, right?~~

Co Couldn't do that. But what I objected to was our own agents participated and this is -- is still going on. And fact daily. And they've got this task force working down there, and that's what they do. American agents are participating in these tortures of not only just Mexican citizens but ~~xx~~ just whoever they happened to have their hands on at the time. That's -- that's fact.

P Well, at this point, why don't we try to see if we can get Hailes in. Why don't you try to pull out some of the records for me, Jack, and we'll get back to you and see where we stand at that point. I want to try to get Hailes in here and talk to him. I know Judge Boyd wanted ~~him~~ to be talked to today and I don't know what time he plans to depart here. But, see if I can go ahead and get --
(tape stops)

START OF INTERVIEW

H = Hailes

P Again, I'm John Pinckney with John Clark in Judge Wood's Quarters in El Paso, Texas, on the 21st day of August, 1975. Now present with Mr. Clark and myself is Herbie Hailes. Is that H - a - i - l - e - s?

H That's correct.

P All right. And where -- what's your occupation, Mr. Hailes?

H I am a Air Officer assigned to U. S. Customs Air Interdiction Unit here in El Paso.

P All right. And how long have you been stationed here in El Paso?

H With the Federal Government, since 1968. With U. S. Customs Air Support Unit since 15 June of 1975.

P And Prior thereto, you were with DEA, is that correct, sir?

H That's correct. I was with DEA since inception July 1st, 1973 and prior to that time I was a special agent with U. S. Customs Agency Service here in El Paso.

P Ragx All right, sir. And it's my understanding that you are here of ~~your own~~ your own volition today, having indicated your desire to talk to Mr. Clark and myself, having communicated that to Magistrate Boyd. Is that correct?

H That's correct.

P All right. Mr. Hailes, I want to go ahead and advise you ~~of~~ of your rights. As I understand it we're investigating or obtaining evidence against possible illegalities as well as improprieties against DEA agents, of which you served for a certain period of time, and if there come a point where we ask you questions where you would want to take your privilege against self-incrimination, I would advise you to do so. And accordingly, I want to advise you of your rights, your so-called Miranda defined rights. You have the right to remain silent. You understand that, sir?

H That's correct.

P And anything you say can be used against you in court. You understand that?

H Yes, sir.

P You have a right to talk to a lawyer for advice before we ask

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P you any question and to have him with you during questioning. Do you understand that?

H Yes sir, I do.

P If you cannot afford a lawyer, one will be appointed for you before any questioning, if you wish. Do you understand that?

H Yes sir.

P If you decide to answer questions now without a lawyer present, you still have the right to stop answering at any ~~xxx~~ time. You also have the right to stop answering at any time until you talk to a lawyer. Do you understand these rights, ~~xxx~~ Mr. Haile?

H Yes sir, I do.

P All right. Now ~~you~~ do you wish to go ahead and talk to us?

H I waive my rights, yes.

P All right. Now, Mr. Hailes, as I understand it, basically the allegations that -- propounded by you and others to Magistrate Boyd are some involving illegalities or violations of criminal laws and others are allegations regarding improprieties or mismanagement in DEA Office here in El Paso. I'd like to take those in that order. First handling illegalities or criminal violations, if any, and then go to the improprieties or mismanagement. If you'll try to handle it ⁱⁿ and/giving me facts, saying those things that you know of your own personal knowledge and also if you know it through hearsay, indicate to us what witnesses we might contact in order to follow up. All right, sir. If you'll just go ahead and start on that first subject matter, I'll appreciate it.

H Ok. This is in regards to any, say, criminal violations.

P Right.

H Personally I don't know if there -- there's any criminal there in this particular case, but --

P All right.

H I'll let you be the sole judge of that.

P Ok.

H Once, in 1973, just after the inception of the Drug Enforcement Administration, I happened to work as a co-undercover agent with one Special Agent by the name of Oscar Lecombe. At which time we were attempting to infiltrate into a heroin-type ring operated by a